

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuo KOBAYASHI, et al.
Title: *METHYLOTROPHIC YEAST PRODUCING MAMMALIAN TYPE
SUGAR CHAIN*
Appl. No.: 10/511,436
International Filing Date: 04/28/2003
371(c) Date: 08/16/2005
Examiner: Nancy S. Vogel
Art Unit: 1636
Confirmation Number: 8917

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to an Office Action mailed January 24, 2008 extended to March 24, 2008 pursuant to the attached Petition for Extension of Time, Applicant hereby elects Group I, claims 1-4, 94-96 and 108-113.

Regarding the election of species requirement, the following is selected:

- OCH1 gene for Group I;
- URA3 gene for claim 96;
- OCH1 gene for claim 108.

This election is made without traverse.

Applicants reserve the right to file divisional applications directed to the subject matter of the non-elected claims.

Receipt of the initial Office Action on the merits is awaited. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees, which may be required regarding this application under 37 CFR §§ 1.16-1.17, and to credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment accompany this response, then the Commissioner is authorized to charge the unpaid amount to the same deposit account.

Respectfully submitted,

Date 7 March 2008

By S. A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768